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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	No. CR-11-0062 SBA (LB)
	)	
v.	)	
	)	
	)	<del>PROPOSED</del> DETENTION ORDER
DAGOBERTO G. GARCIA,	)	
	)	
Defendant.	)	
_____	)	

Following a hearing where the government moved for detention, and considering the factors set forth in section 3142(g), the Court finds that, at this time, no condition or combination of conditions in section 3142(c) will reasonably assure Defendant's appearance in court. Probable cause exists to believe that the defendant, Dagoberto G. Garcia, committed the offense of escape from serving a custodial sentence, in violation of 18 U.S.C. § 751.

Defendant was serving a custodial sentence in case CR 07-0806 CW when he allegedly absconded from the community corrections facility without permission. The information contained in the Presentence Report from case CR 07-0806 CW, combined with the nature of

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1 this offense, and the fact that Defendant will be serving the remainder of his original sentence in  
2 Bureau of Prisons custody until June of 2011, convince this Court that Defendant should be  
3 detained pending trial in this case.

4 Defendant reserves the right to present information at a future bail hearing.

5 The Court detains Defendant as a flight risk without prejudice to his raising the bail issue  
6 at a future hearing. The Court orders Defendant committed to the custody of the Attorney  
7 General or a designated representative for confinement in a corrections facility separate, to the  
8 extent practicable, from persons awaiting or serving sentences or held in custody pending appeal.  
9 See 18 U.S.C. § 3142(i)(2). Defendant must be afforded a reasonable opportunity to consult  
10 privately with counsel. See id. § 3142(i)(3). On order of a court of the United States or on  
11 request of an attorney for the government, the person in charge of the corrections facility must  
12 deliver the defendant to the United States Marshal for a court appearance. See id. § 3142(i)(4).

13 IT IS SO ORDERED.

14 DATED: February 15, 2011

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16 \_\_\_\_\_  
17 LAUREL BEELER  
18 United States Magistrate Judge  
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